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Financing of the United Nations Mission for the Referendum in Western Sahara

Financing of the United Nations Mission of Observers in Tajikistan

Financing of the United Nations Mission for the Referendum in Western Sahara and the United Nations Mission of Observers in Tajikistan

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the reports of the Secretary-General on the financing of the United Nations Mission for the Referendum in Western Sahara (MINURSO) (A/52/730/Add.3) and the United Nations Mission of Observers in Tajikistan (UNMOT) (A/52/772/Add.2). During its consideration of these items, the Committee met with representatives of the Secretary-General, who provided additional information.

2. In paragraph 5 of its report concerning the general aspects of the financing of peacekeeping operations (A/52/860) and paragraph 1 of document A/52/860/Add.8, the Committee indicated that it had postponed consideration of the proposed budgets of MINURSO and UNMOT for the period from 1 July 1998 to 30 June 1999 in view of the pending action by the Security Council. In paragraphs 4 and 10 of document A/52/860/Add.8, the Committee indicated that its recommendations on the bridging appropriation and assessments for the maintenance of MINURSO and UNMOT during the four-month period from 1 July to 31 October 1998 was without prejudice to such position as the Committee might take on requirements for the period from 1 July 1998 to 30 June 1999 after receipt of the revised estimates of MINURSO and UNMOT. The Committee points out that revised estimates for the period from 1 July 1998 to 30 June 1999 were not submitted by the Secretary-General and was informed that such a submission was not contemplated by the Secretary-General. The Committee requests that, in preparing the next budget estimates of MINURSO and UNMOT, the Secretary-General take fully into account the performance experience of the Missions in previous periods.

Proposed budget of MINURSO for the period from 1 July 1998 to 30 June 1999

3. The proposed budget of the United Nations Mission for the Referendum in the Western Sahara for the period from 1 July 1998 to 30 June 1999 amounts to $65,053,200 gross ($60,972,000 net) (A/52/730/Add.3). It provides for the maintenance of the Mission at the authorized strength of 203 military observers, 186 contingent personnel (150 engineering unit personnel, 26 medical support personnel and 10 staff officers), 7 force orderly personnel and 81 civilian police observers. The civilian establishment consists of 285 international staff (95 Professional staff, 125 General

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Service Staff, 59 Field Service personnel and 6 Security Service personnel), 105 locally recruited personnel and 10 observers from the Organization of African Unity (OAU) (A/52/730/Add.3, annex II.C). The Committee was informed that, as at 31 August 1998, the actual military and civilian police personnel deployed in the mission area consisted of 199 military observers, 246 contingent personnel (160 engineering personnel (including staff officers), 58 demining personnel and 28 medical support personnel), 7 force orderly personnel and 81 civilian police observers. The civilian staff deployed comprised 246 international staff, 98 local staff and 10 OAU observers. In this connection, the Committee recalls that, of the Mission's authorized civilian staffing complement, 176 international and 30 local staff are required for the resumption of the identification process and a further 7 international and 10 local staff are to provide support for demining and engineering activities and to meet the logistical requirements of the Mission (A/52/730/Add.2, para. 23).

4. As indicated in paragraphs 3 and 16 of document A/52/730/Add.3, the proposed budget for the period from 1 July 1998 to 30 June 1999 corresponds to the maintenance of the resources already in the mission area for the period ending 30 June 1998, with the exclusion of two demining platoons (63 personnel), which were to be repatriated by 30 June 1998. In this connection, the Advisory Committee was informed that these two demining platoons were not deployed until early August 1998 and were expected to leave the mission area by the third week of October 1998 (see annex I to the present report).

5. Upon inquiry, the Advisory Committee was informed that memoranda of understanding have not yet been concluded with the troop-contributing Governments in respect of the military contingent personnel (engineering and demining units) already deployed in early August 1998. The Committee cautions that the deployment of troops and equipment, prior to the signing of memoranda of understanding with troop-contributing countries, may lead to a situation where the United Nations becomes liable for the settlement of claims in excess of the actual needs of the Mission.

6. The Advisory Committee notes from paragraph 16 of document A/52/730/Add.3 that some 59 per cent of the proposed budget is based on standard cost ratios contained in the standard ratio/cost manual, while 41 per cent covers mission-specific costs (see A/52/730/Add.3, annex II.A).

7. The proposed budget of MINURSO for the period from 1 July 1998 to 30 June 1999 reflects an increase of $17,651,100 gross, or some 37 per cent over the revised budget for the previous period. The increase is attributable to the strengthening of the Mission pursuant to Security Council resolutions 1133 (1997) of 20 October 1997 and 1148 (1998) of 26 January 1998, in which the Council approved the resumption and completion of the identification activities and the redeployment of the engineering unit required for demining activities and additional administrative costs (A/52/730/Add.3, paras. 1, 2 and 17). Subsequently, in its resolution 1198 (1998) of 18 September 1998, the Security Council extended the mandate of the Mission until 31 October 1998. The Committee was informed that at the present time no information is available as regards possible changes in the Mission's mandate.

8. The Advisory Committee notes from paragraph 5 of document A/52/730/Add.3 that the current operational plan of the Mission, with the exception of the strength of the military component as outlined in paragraphs 7 and 8 of document A/52/730, remains unchanged.

9. The Advisory Committee was informed that, as at 21 September 1998, outstanding assessments amounted to $70.2 million. With respect to the status of reimbursement to troop-contributing Governments, it was confirmed that payments have been made through June 1996 (see A/52/730/Add.3, para. 13). As at 31 August 1998, the total expenditure for the period from 1 July to 31 August 1998 (Headquarters and field) amounted to some $8.6 million gross. Of this total, unliquidated obligations totalled some $3.2 million.

10. In his letter of 28 September 1998 (see annex I to the present report), the United Nations Controller sought the Advisory Committee's concurrence in the entering into commitments in an amount not exceeding $2,372,000 for the deployment and related commercial communications requirements of the demining platoons and the increase in cost of helicopter operations.

11. The letter of reply from the Chairman of the Committee to the Secretary-General, dated 8 October 1998, is reproduced in annex II to the present report.

12. In its resolution 52/228 B of 26 June 1998, the General Assembly approved for appropriation and assessment the amount of $22,749,540 gross ($21,473,540 net) for the period from 1 July to 31 October 1998, inclusive of the amount of $1,149,540 for the support account for peacekeeping operations for the period from 1 July 1998 to 30 June 1999. Taking into account the fact that the additional costs referred to above will be absorbed and the pattern of expenditures of the Mission (see para. 9 above), the Advisory Committee recommends that the General Assembly approve the appropriation and assessment of the additional amount of $37,250,460 gross ($34,445,260 net) for the

operations of MINURSO for the period from 1 July 1998 to 30 June 1999, subject to the extension of the mandate of MINURSO by the Security Council.

Proposed budget of UNMOT for the period from 1 July 1998 to 30 June 1999

13. The proposed budget of the United Nations Mission of Observers in Tajikistan (UNMOT) for the period from 1 July 1998 to 30 June 1999 amounts to $22,282,100 gross ($20,998,100 net) (A/52/772/Add.2). It provides for the maintenance of the Mission at the authorized strength of 120 military observers, 2 civilian police, 68 international staff (36 Professional, 12 General Service, 16 Field Service and 4 Security Service) and 143 locally recruited staff (A/52/772/Add.2, annex II.C). Upon inquiry, the Advisory Committee was informed that as at 30 September 1998 the actual military and civilian personnel deployed consisted of 34 military observers, 2 civilian police, 56 international staff (29 Professional, 8 General Service, 15 Field Service and 4 Security Service) and 112 local staff. The large number of vacant posts in the Mission is the result of the precarious security situation which has impeded UNMOT operations for quite some time (see S/1998/754, paras. 18-23).

14. The Advisory Committee notes from paragraph 23 of document A/52/772/Add.2 that some 30 per cent of the proposed budget is based on standard cost ratios contained in the standard ratio/cost manual, while 70 per cent covers mission-specific costs and other items that vary from the standards (see A/52/772/Add.2, annex II.A). Upon inquiry, the Committee was informed that a review of peacekeeping missions reveals that military contingents share a larger portion of expenditures based on standard ratios and costs. UNMOT is an observer mission and does not have military contingents.

15. The proposed budget of UNMOT for the period from 1 July 1998 to 30 June 1999 reflects an increase of $5,711,200 gross, or 34.5 per cent over the revised budget for the previous period of $16,570,900 gross (A/52/772/Add.2, paras. 5 and 6 and annex I). The increase is attributable to the expansion of the Mission's mandate pursuant to Security Council resolution 1138 (1997) of 14 November 1997 (A/52/772/Add.2, paras. 2 and 6). Since then, in its resolution 1167 (1998) of 14 May 1998, the Security Council extended the mandate of UNMOT until 15 November 1998. The Advisory Committee was informed that at the present time no information is available as regards possible changes to the Mission's mandate.

16. Upon request, the Advisory Committee was informed that, as at 15 September 1998, outstanding assessments amounted to $10.6 million. As at 15 September 1998, the total expenditure for the period from 1 July to 15 September 1998 amounted to some $3.3 million gross, including field expenditures as at 31 August 1998. Of this total, unliquidated obligations totalled some $1.2 million as at 25 September 1998.

17. In his letter of 28 September 1998 (see annex III to the present report), the United Nations Controller sought the Advisory Committee's concurrence in the entering into commitments in an amount not exceeding $4,149,700 for the acquisition of 28 additional armoured vehicles and communications equipment for the operations of the United Nations Mission of Observers in Tajikistan.

18. The letter of reply from the Chairman of the Committee to the Secretary-General, dated 8 October 1998, is reproduced in annex IV to the present report.

19. The Advisory Committee recalls that in its resolution 52/229 B of 26 June 1998, the General Assembly approved the appropriation and assessment of $8,015,120 gross ($7,587,120 net) for the maintenance of UNMOT for the period from 1 July to 31 October 1998, inclusive of an amount of $415,120 for the support account for peacekeeping operations for the period from 1 July 1998 to 30 June 1999. Taking into account the pattern of expenditure of the Mission (see para. 16 above), and the amount already approved for appropriation and assessment for the period 1 July to 31 October 1998 for UNMOT, the Advisory Committee recommends that the General Assembly approve the appropriation and assessment of the additional amount of $11,984,880 gross ($11,128,880 net) for the operations of UNMOT for the period from 1 July 1998 to 30 June 1999, subject to the extension of the mandate of UNMOT by the Security Council.

Annex I

Letter dated 28 September 1998 from the United Nations Controller to the Chairman of the Advisory Committee on Administrative and Budgetary Questions

The General Assembly, by its resolution 52/228 B of 26 June 1998, decided to appropriate the amount of $22,749,540 gross ($21,473,540 net) for the maintenance of the United Nations Mission for the Referendum in Western Sahara (MINURSO) for the period from 1 July to 31 October 1998, inclusive of an amount of $1,149,540 for the support account for peacekeeping operations for the period from 1 July 1998 to 30 June 1999. The amount of $22,749,540 included the absorption of $184,200 representing MINURSO's share of the pro-rated cost of the United Nations Logistics Base in Brindisi, as decided by the General Assembly in its resolution 52/1 B of 26 June 1998. The Assembly's decision to provide a four-month bridging appropriation initially for the maintenance of the Mission was based on the Advisory Committee's recommendation contained in paragraph 4 of its report of 13 May 1998 (A/52/860/Add.8).

It will be recalled that, in paragraph 3 of his report of 16 March 1998 (A/52/730/Add.3), the Secretary-General had indicated that "the proposed budget for the period from 1 July 1998 to 30 June 1999 corresponds to the maintenance of the resources already in the mission area for the period ending 30 June 1998 (see A/52/730/Add.2), with the exclusion of two demining platoons, which are to be repatriated by 30 June 1998". In fact, as indicated in paragraph 5 below, these two demining platoons were not deployed until early August 1998 and are now expected to leave the mission area by the third week of October 1998.

Since then, by its resolution 1198 (1998) of 18 September 1998, the Security Council has extended the mandate of MINURSO until 31 October 1998.

The Secretary-General, in his reports of 10 July 1998 (S/1998/634), 18 August 1998 (S/1998/775) and 11 September 1998 (S/1998/849), informed the Security Council of developments in the situation concerning Western Sahara including, *inter alia*, the identification process, the deployment of military personnel in preparation for the full deployment of MINURSO and progress in the finalization of the status-of-forces agreements between the United Nations and the Governments of Algeria, Mauritania and Morocco.

In paragraphs 6 and 7 of his latest report to the Council (S/1998/849), the Secretary-General informed the Council of the deployment of the remainder of the military contingent personnel (engineering and demining units) in early August 1998, in accordance with the provisions of the military agreement between MINURSO and Morocco of 23 July 1998. In addition, the Council was informed that the demining unit would have completed its demining activities by the time its contract expires on 25 October 1998.

In paragraphs 20, 21 and 23 of the aforementioned report, the Secretary-General informed the Council of the completion of the identification of over 147,000 applicants. However, the Secretary-General expressed his concern that the question of the identification of applicants from the H41, H61 and J51/52 tribal groupings remains outstanding. He also stated that the signature of the status-of-forces agreements is long overdue and impedes the progress towards holding a referendum in Western Sahara. In order to allow his Personal Envoy's consultations with the two parties to take place, and for an assessment of the situation thereafter, the Secretary-General recommended that the mandate of MINURSO be extended until 31 October 1998.

The next report of the Secretary-General is expected to be submitted to the Security Council 30 days from the date of the extension of the mandate of MINURSO. At this time, no information is available as regards changes, if any, to the Mission's mandate.

The authorized strength of the Mission is 203 military observers, 186 contingent personnel, 7 force orderly personnel and 81 civilian police observers, supported by a civilian establishment of 285 international staff, 105 local staff and 10 observers from the Organization of African Unity (OAU). As at 31 August 1998, the actual staff deployed in the mission area consisted of 199 military observers, 246 contingent personnel, 7 force orderly personnel, 81 civilian police, 246 international staff, 98 local staff and 10 OAU observers.

It is therefore anticipated that requirements under civilian personnel costs would be less than initially envisaged, taking into account the completion of the identification process and pending the resolution of the identification of the three contested tribal groupings.

However, after the original budget was submitted, a change in the contract on the lease of three helicopters, effective 1 May 1998, has resulted in additional requirements of $1.6 million.

In view of the foregoing, it is likely that the original cost estimates for the 12-month period from 1 July 1998 to 30 June 1999, as originally submitted in document A/52/730/Add.3, may be sufficient to accommodate the costs related to the deployment and related commercial communications requirements of the demining unit for the period from July to October 1998, as well as the increase in cost of helicopter operations, which were not envisaged at the time the original estimates were completed and submitted.

I would therefore request the concurrence of the Advisory Committee in the entering into commitments in an amount not exceeding $2,372,000 for the deployment and related commercial communications requirements of the demining platoons and the increase in cost of helicopter operations.

Taking into account that the Assembly has already approved an appropriation and assessment for the period from 1 July to 31 October 1998, I believe that an appropriation and assessment by the General Assembly of $42,303,660 gross ($39,498,460 net) for the period from 1 November 1998 to 30 June 1999 ought to be sufficient to meet the maintenance requirements of the Mission as well as the additional requirement for military personnel costs, helicopter operations and commercial communications. At the same time, it should be understood that should the situation change substantially, we may have to revert to the issue.

(*Signed*) Jean-Pierre **Halbwachs**
Assistant Secretary-General, Controller

Annex II

Letter dated 8 October 1998 from the Chairman of the Advisory Committee on Administrative and Budgetary Questions to the Secretary-General

The Advisory Committee on Administrative and Budgetary Questions has considered the Controller's letter of 28 September 1998, seeking the Committee's concurrence in the entering into commitments in an amount not exceeding $2,372,000 for the deployment and related commercial communications requirements of the demining platoons and the increase in cost of helicopter operations in the United Nations Mission for the Referendum in Western Sahara (MINURSO).

As indicated in the Controller's letter, in its resolution 52/229 B of 26 June 1998, the General Assembly decided to appropriate the amount of $22,749,540 gross ($21,473,540 net) for the maintenance of MINURSO for the period from 1 July to 31 October 1998, inclusive of the amount of $1,149,540 for the support account for peacekeeping operations for the period from 1 July 1998 to 30 June 1999.

The Advisory Committee notes from the Controller's letter that it is likely that the original cost estimates for the 12-month period from 1 July 1998 to 30 June 1999 (A/52/730/Add.3), amounting to $65,053,200 gross ($60,972,000 net) will be sufficient to accommodate the costs related to the deployment and related commercial communications requirements of the demining unit for the period from July to October 1998, as well as the increase in cost of helicopter operations, which were not envisaged at the time the original estimates were prepared. In this connection, the Committee notes that it is anticipated that requirements under civilian personnel costs would be less than initially envisaged, taking into account the completion of the identification process and pending the resolution of the identification of the three contested tribal groupings. Under the circumstances, the Committee expects that the requirements described in the Controller's letter will not lead to a request for additional appropriation.

The Committee understands that the request for additional commitment authority is in view of the fact that the current appropriation is only for the period ending 31 October 1998 and is pending such action as the General Assembly may take on the request for appropriations for the period remaining after 31 October 1998 (1 November 1998–30 June 1999).

However, upon inquiry, the Advisory Committee was informed that the request for an additional commitment authority of $2,372,000 did not take into account the expenditure experience of MINURSO, thus far. The Committee has previously indicated that the most basic problem in budgeting for peacekeeping operations appears to relate to the fact that the experience of the previous period is not adequately taken into account when preparing estimates for the next period (A/52/860, para. 21).

Based on the pattern of expenditures of MINURSO, the Advisory Committee believes that there is no need to authorize you to enter into an additional commitment authority in the amount of $2,372,000 for the period prior to 31 October 1998. Taking into account the amount that the General Assembly has already approved of $22,749,540 gross ($21,473,540 net) for the maintenance of MINURSO for the period from 1 July to 31 October 1998, the Committee intends to review the requirements of the Mission for the entire period from

1 July 1998 to 30 June 1999, as submitted in document A/52/730/Add.3, together with further clarifications provided to the Committee, and report to the General Assembly at its fifty-third session accordingly.

(*Signed*) C. S. M. **Mselle**
Chairman

Annex III

Letter dated 28 September 1998 from the United Nations Controller to the Chairman of the Advisory Committee on Administrative and Budgetary Questions

The General Assembly, by its resolution 52/229 B of 26 June 1998, decided to appropriate the amount of $8,015,120 gross ($7,587,120 net) for the maintenance of UNMOT for the period form 1 July to 31 October 1998, inclusive of an amount of $415,120 for the support account for peacekeeping operations for the period from 1 July 1998 to 30 June 1999. The amount of $8,015,120 included the absorption of $66,500 representing UNMOT's share of the pro-rated cost of the United Nations Logistics Base in Brindisi, as decided by the General Assembly in its resolution 52/1 B of 26 June 1998. The Assembly's decision to provide a four-month bridging appropriation initially for the maintenance of the Mission was based on the Advisory Committee's recommendation which, *inter alia*, pointed out that there were a number of unresolved issues that could impact on the development of the Mission and on its resource requirements (A/52/860/Add.8, paras. 8 to 10).

Since then, by its resolution 1167 (1998) of 14 May 1998, the Security Council has extended the mandate of UNMOT until 15 November 1998.

On 13 August 1998, the Secretary-General submitted his interim report on UNMOT to the Security Council (S/1998/754 and Add.1). In paragraphs 10 to 12 of that report, the Secretary-General made reference to the incident of 20 July 1998, in which four members of the UNMOT team based in Garm were murdered. The Secretary-General further reported that UNMOT immediately suspended its activities in the field and sent all teams back to base in Dushanbe. The replacement of military observers ending their tour of duty has been suspended to reduce the excess personnel in Dushanbe.

In view of the security situation in the mission area, the Secretary-General stated in paragraph 23 of the same report that the Mission would be provided with additional hard-skinned vehicles and better communications equipment in order to give its personnel at least passive protection. In the addendum to the report (S/1998/754/Add.1), it was indicated that the estimated cost of 28 armoured vehicles and the communications equipment was approximately $4.1 million.

The President of the Security Council, in his letter dated 28 August 1998 (S/1998/818), informed the Secretary-General that the members of the Council had taken note of the information contained in paragraph 23 of the report as well as the financial implications information contained in the addendum to the report.

The next report of the Secretary-General is expected to be submitted to the Security Council prior to the expiration of the current mandate of UNMOT on 15 November 1998. At this time, no information is available as regards changes, if any, to the Mission's mandate.

The authorized strength of the Mission is 120 military observers, 2 civilian police, 68 international staff and 143 locally recruited staff. The actual staff deployed as at the end of August is 69 military observers, 2 civilian police, 54 international staff and 116 local staff.

It is therefore anticipated that requirements in respect of military and civilian costs would be substantially less than initially envisaged if the prevailing security situation remains unchanged.

In view of the foregoing, it is likely that the original cost estimates for the 12-month period from 1 July 1998 to 30 June 1999 as originally submitted in document

A/52/772/Add.2 may be sufficient to accommodate the armoured vehicles and communications equipment that were not envisaged at the time the original estimates were completed and submitted.

I would therefore request the concurrence of the Advisory Committee in the entering into commitments in an amount not exceeding $4,149,700 for the acquisition of 28 additional armoured vehicles and communications equipment.

Taking into account that the Assembly has already approved an appropriation and assessment for the period from 1 July to 31 October 1998, I believe that an appropriation and assessment by the General Assembly of $14,682,100 gross ($13,826,100 net) for the period from 1 November 1998 to 30 June 1999 ought to be sufficient to meet the maintenance requirements of the Mission as well as the additional requirement for military armoured vehicles and communications equipment. At the same time, it should be understood that should the situation change substantially, we may have to revert to the issue.

(*Signed*) Jean-Pierre **Halbwachs**
Assistant Secretary-General, Controller

Annex IV

Letter dated 8 October 1998 from the Chairman of the Advisory Committee on Administrative and Budgetary Questions to the Secretary-General

The Advisory Committee on Administrative and Budgetary Questions has considered the Controller's letter of 28 September 1998, seeking the Committee's concurrence in the entering into commitments in an amount not exceeding $4,149,700 for the acquisition of 28 additional armoured vehicles and communications equipment for the operations of the United Nations Mission of Observers in Tajikistan (UNMOT).

As indicated in the Controller's letter, in its resolution 52/229 B of 26 June 1998, the General Assembly decided to appropriate the amount of $8,015,120 gross ($7,587,120 net) for the maintenance of UNMOT for the period from 1 July to 31 October 1998, inclusive of the amount of $415,120 for the support account for peacekeeping operations for the period from 1 July 1998 to 30 June 1999.

The Advisory Committee notes from the Controller's letter that it is likely that the original cost estimates for the 12-month period from 1 July 1998 to 30 June 1999 (A/52/772/Add.2), amounting to $22,282,100 gross ($20,998,100 net) will be sufficient to accommodate the armoured vehicles and communications equipment, which were not envisaged at the time the original estimates were prepared. In this connection, the Committee notes that it is anticipated that requirements in respect of military and civilian costs would be substantially less than initially envisaged if the prevailing security situation remains unchanged. Under the circumstances, the Committee expects that the requirements described in the Controller's letter will not lead to a request for additional appropriation.

The Committee understands that the request for additional commitment authority is in view of the fact that the current appropriation is only for the period ending 31 October 1998 and is pending such action as the General Assembly may take on the request for appropriations for the period remaining after 31 October 1998 (1 November 1998–30 June 1999).

However, upon inquiry, the Advisory Committee was informed that the request for an additional commitment authority of $4,149,700 did not take into account past performance experience of UNMOT. The Committee has indicated in the past that the most basic problem in budgeting for peacekeeping operations appears to relate to the fact that the experience of the previous period is not adequately taken into account when preparing estimates for the next period (A/52/860, para. 21).

Based on the pattern of expenditures of UNMOT, the Advisory Committee believes that there is no need to authorize you to enter into an additional commitment authority of $4,149,700 at this time. Taking into account the amount that the General Assembly has already approved of $8,015,120 gross ($7,587,120 net) for the maintenance of UNMOT for the period from 1 July to 31 October 1998, the Committee intends to review the requirements of the Mission for the period from 1 July 1998 to 30 June 1999, as submitted in document A/52/772/Add.2, together with further clarifications provided to the Committee, and report to the General Assembly at its fifty-third session accordingly.

(*Signed*) C. S. M. **Mselle**
Chairman

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GENERAL ASSEMBLY
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Agenda items 39, 40 and 85
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST
COMPREHENSIVE REVIEW OF THE WHOLE
QUESTION OF PEACEKEEPING OPERATIONS
IN ALL THEIR ASPECTS

SECURITY COUNCIL
Fifty-third year

Letter dated 8 October 1998 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

Yesterday, despite ongoing diplomatic efforts aimed at rescuing the peace process and recurrent appeals for a cessation of actions that pre-empt final status negotiations and severely damage the peace process, the Prime Minister of Israel, Mr. Benjamin Netanyahu, announced further construction of settlements in the occupied Palestinian territory. More radically, in a step tantamount to a de facto annexation, the Prime Minister announced the transformation of a settlement into a city.

At a settlement called "Ariel", which is located in the West Bank, Mr. Netanyahu declared, "We are building and will continue to build". The Prime Minister was there participating in a ceremony conferring city status on the settlement. In this regard, he stated, "When we declare Ariel as a city, as we do today, we thus announce that this is a permanent place. This place will be part of Israel in any final status agreement in the future". Further, he stated, "I would like to see Ariel double in size. We will continue at this pace and build up this city more and more and more".

All Israeli settlement activities are illegal under international law. They violate the Fourth Geneva Convention of 12 August 1949, numerous Security Council resolutions and the resolutions of the tenth emergency special session of the General Assembly. The step of de facto annexation, however, is even more dangerous and necessitates immediate condemnation by the international community. The actions and the statements made by the Prime Minister in this regard are absolutely unacceptable, they have no legal validity and they do not and cannot change the status of the occupied territory.

In addition, yesterday, in the city of Al-Khalil (Hebron), a cornerstone was laid by the Israeli occupying authorities for future construction of a settlement in Tel Rumeida. This illegal, provocative act comes at a time of increasing tension and conflict in the city, including the criminal activities of Israeli settlers. Just yesterday, a Palestinian youth, twenty-one year old Amjad Al-Natshe, was killed by Israeli troops during clashes in Al-Khalil. More than twenty other Palestinians were also injured during those clashes.

These are serious developments, which require the attention of, and action by, the Security Council and the Secretary-General of the United Nations.

I would be grateful if you would arrange to have the text of the present letter distributed as a document of the General Assembly, under agenda items 39, 40 and 85 of the fifty-third session, and of the Security Council.

(Signed) Dr. Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations